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10 Attorneys for Plaintiff  
11 DEL MONTE CORPORATION

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 (OAKLAND DIVISION)

15 DEL MONTE CORPORATION, a Delaware  
16 corporation,

17 Plaintiff,

18 v.

19 MY GOURMET PRODUCTS, INC., a  
20 California corporation,

21 Defendant.

Case No.:4:07-cv-02161-CW

22 **STIPULATION AND ~~PROPOSED~~**  
23 **ORDER FOR DISMISSAL WITHOUT**  
24 **PREJUDICE**

25 The parties to the above-captioned action hereby stipulate and agree that this action  
26 and all claims that have been raised in this action are hereby dismissed without prejudice.  
27 The parties further agree that each shall bear its own costs and expenses in this action,  
28 including attorneys' fees.

DATED: August \_\_, 2007

HELLER EHRMAN LLP

By /s/ Annette L. Hurst

Annette L. Hurst  
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Attorneys for Plaintiff  
DEL MONTE CORPORATION

Heller  
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1 DATED: August 3<sup>rd</sup>, 2007


INTELLECTUAL PROPERTY LAW GROUP LLP

2  
3 By 

Otto Lee  
12 South First Street, 12<sup>th</sup> Floor  
San Jose, CA 95113  
Attorneys for Defendant  
MY GOURMET PRODUCTS, INC.

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7 IT IS SO ORDERED.

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10 DATED: 8/7/07

  
The Honorable Claudia Wilken  
United States District Court Judge